

REMARKS

Claims 1-3, 5-26, and 28-50 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 2, 4, 8-12, 14, 16, 17, 19-25, 27, 31-35, 37, 39, 40 and 42-46 stand rejected under 35 U.S.C. § 102(b) as being unpatentable over Krikorian U.S. Patent Publication No. 5,726,909. This rejection is respectfully traversed.

In the Office Action, the Examiner ignored the claim limitations relating to the computer being independent from the playback device at least in part because some of the embodiments describe the computer and the playback device being integrated. See page 11 of Office Action dated March 9, 2007. It is well established that Applicants are entitled to describe and claim alternative embodiments. Therefore, the Examiner's rejection is invalid on its face.

During a conversation with the Examiner on June 28, 2007, the Examiner agreed to withdraw the Final Rejection upon filing of this Response.

When all of the limitations of Claims 1 and 24 are considered and given weight, it is clear that Krikorian '909 does not anticipate or render obvious the claimed system and methods of Claims 1 and 24 for reasons set forth in prior responses.

Therefore, Claims 1 and 24 are allowable for at least these reasons. Claims 2-3, 5-23, 25, 26, and 28-50 are directly or indirectly dependent upon Claim 1 and are allowable for at least similar reasons.


As this is the fifth Office Action in the application, Applicant encourages the Examiner to contact Applicants' representatives to resolve any further questions raised by this Response.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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